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SERIES.

G.O. No. 162

Dated 7 2 49

[Despatch Abstract.]

KHADI SCHEME - The Madras Khadi (Development) Order 1949 issued.

THE FORT ST. GEORGE GAZETTE

PART II--EXTRAORDINARY.

PUBLISHED BY AUTHORITY

No.10. MADRAS, THURSDAY, FEBRUARY 17, 1949.

NOTIFICATIONS BY GOVERNMENT

FIRKA DEVELOPMENT DEPARTMENT.

MADRAS KHADI (DEVELOPMENT) ORDER, 1949.

(G.O.Ms. No. 162, Firka Development, 17th February 1949).

In exercise of the powers conferred by section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (Central Act XXIV of 1946), read with Public (Political) Department Notification No. 27, dated the 12th May 1948, published at page 425 of Part I of the Fort St. George Gazette, dated the 18th May 1948, and the Notification of the Government Of India, Ministry of States No. 176-IB, dated the 23rd March 1948,and the Notifications of the Government of India, Department of Industries and Supplies, No. 73/1-T.A/46, dated the 28th December 1946, and No. 73/1-T.A./47,dated the 15th February 1947, published in the Gazette of India bearing the same dates, His Excellency the Governor of Madras hereby makes the following Order:--

1. (1) This Order may be called the Madras Khadi (Development) Order, 1949.

(2) It extends to the whole of the Province of Madras and to the merged States of Banganapalle and Pudukkottai.

(3) It shall come into force at once.

2. (1) The provisions of this Order shall be in addition to and not in derogation of any other law for the time being in force.

(2) The Madras Khadi (Control) Order, 1947, is hereby repealed;

Provided that any order made, licence granted, notification issued, right accrued, penatly incurred or anything done under the said Order shall be deemed to have been made, granted, issued, accrued, incurred or done under the corresponding provisions of this Order.

3. In this Order, unless there is anything repugnant in the subject or context--

a) "dealer" means a person (other than the producer) who sells handspun cotton yarn or khadi or both, or stores the same for sale, whether on his own account or as a commission agent, and whether in conjunction with any other business or not;

EXPLANATION:-- For the purposes of this clause, "commission agent" means any person who in the ordinary course of his business negotiates and makes contracts on behalf of others for the sale or purchase of handspun cotton yarn or khadi or both and also stocks such article for delivery on such sale or takes possession of such article on such purchase.

(b) "Development Officer" means the Provincial Firka Development Officer, Madras, or any other officer nominated by the Government to perform the function of a Development Officer under this Order;

(c) "hawker" means a person other than the producer who goes from place to place or from house to house, carrying or exposing khadi or handspun yarn for sale, or exposing samples of such articles to be afterwards delivered;

(d) "handspun yarn" means handspun cotton yarn;

(e) "Inspecting Officer" means the Development Officer, the District Collector, the Provincial Textile Commissioner, the Khadi Special Officer or any other officer authorized by the Development Officer to exercise the powers and perform the functions of an Inspecting Officer under this Order;

(f) "khadi" means cotton cloth woven on handlooms in India exclusively from cotton yarn handspun in India;

(g) "licence" means a licence granted under this Order by the Development Officer;

(h) "prescribed" means prescribed by the Development Officer by notification in the Fort St. George Gazette;

(i) "producer" means the person who has had khadi woven by weavers, not being members of his family dependent on him, engaged by him for purposes of trade.

4.(1) No person shall carry on business as a producer, except under and in accordance with the terms and conditions of a producer's licence.

(2) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a dealer's licence.

(3) Where a producer or dealer has more than one place of business, whether in the same town or village or in different towns and villages, he shall obtain a separate licence in respect of each such place of business.

5. No hawker shall be licensed to deal in handspun yarn or khadi.

6. No person who is a producer of, or dealer in, mill made yarn or cloth woven out of such mill-made yarn, shall carry on the business of a producer of, or dealer in, handspun yarn or khadi.

7. The Development Officer may in his discretion and without assigning any reason suspend or cancel a licence.

8. Every application for a licence under this Order shall be made to the Development Officer in the prescribed form and in the case of persons holding licences under the Madras Khadi (Control) Order, 1947, shall be made within twenty-one days from the date of commencement of this Order.

9. Licences shall be in such forms and include such conditions as may be prescribed.

10. No fee shall be payable for the grant or renewal of a licence.

11. The Development Officer shall have discretion to grant or refuse a licence to any applicant. It shall not be necessary for the Development Officer to assign any reason for any decision taken by him under this clause.

12. Every licence shall be valid until the end of the year specified in the licence but it may be renewed from year to year.

EXPLANATION.--In this clause "year" means the period commencing on the 1st January and ending on the 31st December immediately following.

13. If, during the currency of a licence, the licensee desires to change his place of business or godown, he shall intimate his intention to the Development Officer at least fifteen days in advance, specifying the address of the new place of business or godown, as the case may be.

The Development Officer shall, if he agrees to the change, amend the licence suitably.

14. The holder of a licence shall be bound by the provisions of this Order and the conditions of his licence.

15. The Development Officer may prescribe the minimum wages for the various processes involved in the production of khadi by hand, namely, ginning, carding, slivering, spinning, weaving and processing and no producer shall pay wages at lower rates.

EXPLANATION.--For the purposes of this clause, "weaving" shall include preparatory work like sizing, winding and warping and "processing" shall include any process ancillary to the production of cloth or yarn such as dyeing, bleaching, embriodering, printing or finishing.

16. The cost of production of khadi shall be ascertained in the manner prescribed.

17. (1) No person shall sell khadi at a price exceeding the aggregate of the cost of production of the cloth and 15-5/8 per cent thereof.

(2) No person shall charge, whether on account of transport charges or on any other account whatsoever, any price for the sale of khadi in excess of the rates specified in sub-clause (1):

Provided that if the producer or dealer is liable to pay sales-tax under the Madras General Sales Tax Act,1939, on khadi sold by him, he may charge, in addition, the actual amount of such tax payable on account of such sale.

18. No producer shall deliver to any person, whether in pursuance of a sale or otherwise, khadi produced by him unless a label including the name and address of the producer, his licence number,the width of the cloth in inches and the cost of production per yard has been affixed on each piece of cloth by the producer in the manner prescribed.

19. Where a piece of khadi labelled under clause 18 is not sold as a whole, that portion of the piece containing the prescribed label shall be sold last by the producer or the dealer, as the case may be.

20. Every producer shall maintain such vouchers as may be prescribed in respect of raw materials bought by him and expenditure incurred by him.

21. Every producer and every dealer shall--

(i) maintain such accounts as may be prescribed, and

(ii) submit such returns relating to his business, at such times and to such authority, as may be prescribed.

22. Every producer and every dealer shall, in respect of khadi or hand-spun yarn sold by him, give a cash receipt or a credit note, as the case may be, signed by him or his salesman and containing the particulars prescribed and keept a duplicate thereof and produce it for inspection on demand by any Inspecint Officer.

23. (1) No person shall weave cloth partly from hand-spun and partly from mill made cotton yarn, sell or otherwise dispose of any cloth so woven and no producer or dealer shall deal in such cloth.

(2) No person shall spin by hand yarn from mill-made cotton slivers or mill waste cotton, sell or otherwise dispose of any yarn so spun and no producer or dealer shall deal in such yarn.

24. The Development Officer may, by notification in the Fort St. George Gazette, prohibit the sale or delivery to, and the purchase or procurement by, any producer or dealer, of hand-spun yarn produced in such areas as may be specified in the notification.

25. All prescribed accounts, vouchers, cash receipts and credit notes shall be produced by the person having custody thereof, on demand by any Inspecting Officer

26. Any Inspecting Officer may, with a view to securing compliance with this Order,

(a) require any person to give any information in his possession with respect to any business carried on by him or by any other person;

(b) inspect any books or other documents belonging to or under the control of any person;

(c) enter upon and search any house, building or other premises, and seize cloth or yarn in respect of which he has reason to believe that a contravention of this Order has been; is being or is about to be committed.

27. If any person contravenes any of the provisions of this Order, then, without prejudice to any other punishment to which he may be liable, any court trying such contravention may order that any stocks of cloth or yarn together with the packages and coverings thereof, in respect of which the court is satisfied that the Order has been contravened shall be forfeited to the Provincial Government.

28. The Development Officer or the Collector may authorize any officer to exercise all or any of his powers under this Order except the powers specified in clause 3, subclause (e) and (h) and clauses 7, 11 and 15.

29. (1) The Provincial Government may, by notification in the Fort St. George Gazette, direct that all or any of the provisions of this Order shall not apply to such producers or dealers, as may be specified in the notification.

(2) Nothing contained in this Order shall apply to
(i) the Khadi Production and Sales Agencies set up under the Provincial Government's Khadi Schemes and

(ii) the Khadi Production and Sales Agencies of the All-India Spinners' Association.

30. Nothing contained in this Order shall apply to khadi woven by any person by himself or by a member of his family dependent on him or by a weaver engaged by him, from handspun yearn spun by the said person or by the members of his family dependent on him, for the personal use of himself or of such members.

M.S. Jagannayakulu,
Secretary to Government.

p.t.o.

THE FORT ST. GEORGE GAZETTE

PART II-EXTRAORDINARY.

PUBLISHED BY AUTHORITY.

No.11 Madras, Thursday, February 17, 1949.

NOTIFICATIONS BY HEADS OF DEPARTMENTS, ETC.

GENERAL NOTIFICATIONS.

NOTIFICATIONS BY THE PROVINCIAL FIRKA DEVELOPMENT OFFICER.

AUTHORIZATION TO EXERCISE POWERS AND PERFORM FUNCTIONS OF AN "INSPECTING OFFICER" UNDER THE MADRAS KHADI(DEVELOPMENT)ORDER 1949

In exercise of the powers conferred on him by clause 3 (6) of the Madras Khadi (Development) Order, 1949, the Provincial Firka Development Officer, Madras, hereby authorizes the Regional Firka Development Officers (North) and (South), the Firka Development Officers, the Honorary Regional Khadi Officers, the Centre Khadi Officers and all officers of the Revenue Department not lower in rank than a Deputy Tahsildar to exercise the powers and perform the functions of an "Inspecting Officer" under the said Order, within their respective jurisdictions.

FORMS PRESCRIBED UNDER THE MADRAS KHADI(DEVELOPMENT)ORDER,1949.

In pursuance of clauses 8 and 9 of the Madras Khadi (Development) Order, 1949, the Provincial Firka Development Officer, Madra , hereby notifies that applications for licences, and licences granted, under the said Order, shall be in the forms below:--

FORM I.

THE MADRAS KHADI (DEVELOPMENT) ORDER, 1949

FORM OF APPLICATION FOR A PRODUCER'S LICENCE.
(See Clause 8)

To
The Provincial Firka Development Officer,
Fort St. George, Madras.

1. Name of the applicant in full.

2. Name of the applicant's father

3. Address of the applicant in full.

4. Period, if any, during which he has conducted business as khadi producer in the past.

5.(a) Full address of the place where the production is or will be carried on and the area (with details of revenue villages) in which the production business will be carried on.

(form of application contd.

5. (b) Full address of the place where the khadi produced by the applicant is or will be stored.

6. Name with full address and licence number of dealer or dealers to whom the khadi produced is or will be sold.

DECLARATION.

I declare that, to the best of my knowledge and belief, the above information is correct and complete, that I am not a producer of or dealer in mill-made yarn or cloth woven of suhh mill-made yarn, that I am aware of the conditions of the licence and that I agree to abide by them.

Station:
Date: Signature of applicant.

NOTE.--If the applicant is a partnership concern, the names and addresses of all the persons interested in the business and the extent of their individual interest should be specified precisely against items 1 to 4.

FORM II.

THE MADRAS KHADI (DEVELOPMENT) ORDER, 1949.

FORM OF APPLICATION FOR A DEALER'S LICENCE.
(See Clause 8.)

To
The Provincial Firka Development Officer
Fort St. George, Madras.

1. Name of the applicant in full.
2. Name of the applicant's father.
3. Address of the applicant in full.
4. (a) Period, if any, during which applicant has conducted business as a dealer in khadi and/or handspun yarn in the past.
   (b) Whether the applicant conducts business on his own account and/or as commission agent.
5. (a) Exact description of the premises where the business in khadi and/or handspun yarn is carried on.
   (b) Address of godown or place or places other than the place of business where khadi and/or handspun yarn is or will be stored.
6. Name with full address of the producer or producers from whom the dealer will purchase khadi and the numbers of the licence held by the respective producers.

DECLARATION.

I declare that, to the best of my knowledge and belief the above information is correct and complete, that I am not a producer of or dealer in mill-made yarn or cloth woven from such mill-made yarn, that I am aware of the conditions of the licence and that I agree to abide by them.

Station:
Date: Signature of the applicant.

NOTE.--If the applicant is a partnership concern, the names and addresses of all the persons interested in the business and the extent of their indivual interest should be specified precisely against items (1) to (4).

FORM III.

THE MADRAS KHADI (DEVELOPMENT) ORDER, 1949.

PRODUCER'S LICENCE.

(See clause 9.)

1. Licence No. P.(K)

2. Name of the licensee.

3. Father's name.

4. Address of the licensee in full.

5. Area where the applicant's khadi production is to be carried on. District:
Taluk:
Villages:

6. Exact description of the authorized place where stocks of khadi may be stored.

7. Details of dealers to whom the producer may sell khadi produced by him--

Licence No. (1)	Name of dealer. (2)	Address. (3)

8. Period for which licence has been issued.

Station:
Date:

Provincial Firka Development Officer.

CONDITIONS OF LICENCE.

1. This licence is granted subject to the provisions of the Madras Khadi (Development) Order, 1949, and the other conditions specified below.

2. The licensee shall display his licence prominently at his main place of business in the area covered by the licence.

3. The licensee's khadi production shall be confined to the area specified in his licence in this behalf.

4. The licensee shall not use or permit the use of any hand-spun yarn spun from mill-made cotton slivers or mill-waste cotton, in any khadi produced by, or for, him.

5. The licensee shall not buy any hand spun yarn from persons other than the spinners thereof.

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6. The licensee shall not sell khadi or store it for sale except within his production area detailed against column 5 of the licence.

7.. The licence covers only sales of khadi produced by him.

8. The licensee shall furnish correctly and completely such information as may be demanded of him and carry out such instructions as may from time to time be issued by an Inspecting Officer.

9. The licensee shall permit any Inspecting Officer to inspect the place where he is producing khadi or selling it or storing it for sale and shall produce on demand by such officer all his accounts, vouchers and invoices.

10. The licensee shall not produce or deal in mill-made yarn or mill-made cloth or in goods produced from mill-made yarn.

11. It ~~hx~~ shall be the main duty of the licensee to make arrangements to have the yarn of the self-spinners of the locality in which he has been granted licence to carry on business, woven into cloth.

12. The licensee shall try to distribute a large part of the yarn spun and clotes woven from the hand-spun yarn in the locality to people residing there itself.

13. . The licensee shall pay to the artisans engaged by him in the production of khadi, wages at rates not below the minimum wages prescribed.

RENEWAL ENDORSEMENT

Period for which renewed.	Dated signature of the Provincial Firka Development Officer.	Remarks.
(1)	(2)	(3)

FORM IV.

THE MADRAS KHADI (DEVELOPMENT) ORDER, 1949.

DEALER'S LICENCE.

(See Clause 9)

1. Licence No. D.(K)/

2. Name of the licensee

3. Father's name;

4. Address of the licensee in full

5. Exact description of the premises where the sale is to be carried on.

6. Exact description of the authorised place where stocks of khadi and/or handspun yarn are stored.

7. Details of producers from whom authorized to pruchase stocks khadi or handspun yarn--

Licence No. (1)	Name of producer. (2)	Address of producer (3)

8. Period for which licence has been issued.

9. Nature of business for which licence has been granted---

Dealer's on own account.
Commission Agent.

Station:

Date: Provincial Firka Development Officer.

NOTE.-- Against item 9, strike out what is not required.

CONDITIONS OF LICENCE.

1. This licence is granted subject to the provisions of the Madras Khadi (Development) Order, 1949, and the other conditions specified below.

2. The licensee shall display his licence prominently at his place of business.

3. The licensee shall not sell any khadi and/or handspun yarn, or store it for sale, except at the place specified in his licence in this behalf.

4. The licensee shall conduct only such business as is specified in his licence.

5. The licensee shall furnish correctly and completely such information as may be demanded of him and carry out such instructions as may from time to time be issued by an Inspecting Officer.

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6. The licensee shall permit any Inspecting Officer to inspect the place where he is selling khadi or handspun yarn or storing it for sale, and shall produce on demand by such officer all his accounts, vouchers and invoices.

7. The licensee shall purchase his stocks of khadi only from the producers specified in his licence.

8. The licensee shall not deal in mill-made yarn or mill-made cloth or goods produced from mill made yarn.

RENEWAL ENDORSEMENT

Period for which renewed.	Dated Signature of the Provincial Firka Development Officer.	Remarks.
	(2)	

G. VENKATACHALAPATHI,
Provincial Firka Development Officer.

/True copy/

Superintendent,
Madras Record Office.

PSR. 17-7-53.

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